

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

JANET MAVIS MARCUSSE,

Case No. 17-CV-4656 (SRN/LIB)

Petitioner,

v.

ORDER

WARDEN FCI WASECA,

Respondent.

This matter is before the Court on the application to proceed *in forma pauperis* (“IFP”) on appeal of petitioner Janet Mavis Marcusse from the dismissal of her petition for a writ of habeas corpus and the denial of her post-judgment motions. *See* Doc. No. 33. After review, this Court concludes that Marcusse qualifies financially for IFP status. Further, although the question is close, the Court finds that Marcusse’s appeal is not frivolous as the Supreme Court has defined that term. Accordingly, Marcusse’s IFP application is granted.

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED that the application to proceed *in forma pauperis* on appeal of petitioner Janet Mavis Marcusse [Doc. No. 33] is GRANTED.

Dated: January 4, 2019

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge